

1 Mark Kokanovich (021168)
kokanovichm@ballardspahr.com
2 Dennis K. Burke (012076)
burked@ballardspahr.com
3 BALLARD SPAHR LLP
1 East Washington Street, Suite 2300
4 Phoenix, AZ 85004-2555
Telephone: 602.798.5400
5 Facsimile: 602.798.5595
Attorneys for Defendant James B. Panther

6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA

9 United States of America,
10 Plaintiff,
11 vs.
12 James B. Panther,
13 Defendant.

NO. CR-19-00448-PHX-DLR-2

**JOINT MOTION TO CONTINUE
TRIAL AND RULE 11 PLEA
HEARING**

14
15 The undersigned parties, by their respective attorneys, hereby submit this Motion to
16 Continue the Trial and set a Rule 11 Plea Hearing and an accompanying proposed order
17 for the Court's consideration. On May 4, 2020, the parties notified the Court of the
18 defendant's intent to enter a plea of guilty. U.S. Magistrate Judge Michelle H. Burns has
19 set the Rule 11 plea hearing for January 26, 2021 at 11:30 a.m. Judge Rayes has set the
20 Final Pretrial Conference for January 29, 2021 at 9:30 a.m. and the jury trial for February
21 23, 2021 at 9:00 a.m.

22 Discovery is extensive and not yet complete, and it is anticipated that the
23 forthcoming materials produced by the Government will be voluminous, such that
24 substantial time is needed for the effective preparation of a defense and to prepare for trial.

25 The parties respectfully request that this Court continue the trial date and the
26 Rule 11 plea hearing for a period of time not less than 30 days.
27
28

1 The parties further request that this Court exclude the period of time from June 16,
2 2020 to the Rule 11 plea hearing from the Speedy Trial Act calculus pursuant to 18 U.S.C.
3 § 3161(h)(1)(G)) and (h)(7).

4 RESPECTFULLY SUBMITTED this 19th day of January, 2021.

5 FOR PLAINTIFF
6 UNITED STATES OF AMERICA

FOR DEFENDANT
JAMES B. PANTHER, JR.

7
8 By: /s/ D. Brittain Shaw (w/permission)
9 Deborah Brittain Shaw
10 David A. Bybee
11 U.S. Department of Justice
12 Fraud Section, Criminal Division
13 1400 New York Avenue NW
14 Washington DC 20005

By: /s/ Dennis K. Burke
Dennis K. Burke
Mark S. Kokanovich
Ballard Spahr LLP
1 East Washington St., Ste 2300
Phoenix, Arizona 85004

Ballard Spahr LLP
1 East Washington Street, Suite 2300
Phoenix, AZ 85004-2555
Telephone: 602.798.5400

CERTIFICATE OF SERVICE

I certify that on the 19th day of January, 2021, I electronically transmitted a PDF version of this document to the Office of the Clerk of the Court, using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all CM/ECF registrants listed for this matter.

By: /s/ Catherine M. Weber

Ballard Spahr LLP
1 East Washington Street, Suite 2300
Phoenix, AZ 85004-2555
Telephone: 602.798.5400